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DOCKET FILE COPY ORIGINAL

October 4, 2002

Marlene Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RECEIVED

OCT - 4 2002

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

**Re: Notification of Subscriber Transfer
CC Docket No. 00-257**

Dear Madam Secretary:

Pursuant to Section 64.1120 of the Commission's Rules, this letter provides notification of the planned transfer of certain Texas local exchange subscribers of TXU Communications Telecom Services Company (TXU Communications) to Southwestern Bell Telephone Company (SWBT). SWBT will provide all transferred subscribers local exchange service. Each affected subscriber will have at least 30 days notice prior to the transfer.

SWBT certifies that it has provided advance subscriber notice in accordance with section 64.1120(e)(3). Further, SWBT has and will comply with the obligations specified in the notice and any other applicable statutory and Commission requirements. The notification letter is attached hereto.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Davida M. Grant". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Davida M. Grant

Attachment

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TXU
Communications



September 27, 2002

**NOTICE OF TRANSFER OF CERTAIN LOCAL BUSINESS
TELEPHONE SERVICE**

Dear Business Telephone Customer:

TXU Communications Telecom Services Company and Fort Bend Long Distance Company, dba TXU Communications (collectively "TXU COMMUNICATIONS"), and Southwestern Bell Telephone Company ("SWBT") have entered into agreements whereby SWBT has acquired TXU COMMUNICATIONS' rights to provide your local business telephone service should you not choose another local service provider. This change does NOT affect local residential service or long distance services you may currently be receiving from TXU COMMUNICATIONS. Only local business customers will be affected, except when TXUC provides service to certain customers through a contractual arrangement.

Upon receipt of this notice you may transfer your local business telephone service to SWBT or any other carrier of your choice. If you have not transferred your local business service to SWBT or another carrier by November 1, 2002, (the "Selection Date"), then within the following fifteen (15) day period (the "Transfer Period"), your local business telephone service will be transferred to SWBT as outlined below in accordance with applicable rules of the Federal Communications Commission ("FCC") and Public Utility Commission of Texas ("TPUC"). After the Transfer Period, TXU COMMUNICATIONS will no longer provide local business telephone service to you.

You have a choice in selecting your local business telephone service provider.

- 1) **If You Select SWBT For Local Business Service By The Selection Date:** Please contact SWBT at 1-888-481-0367 for service as soon as possible. SWBT will provide you with the services you request. You may be able to retain your existing TXU COMMUNICATIONS phone number with SWBT service. Your customer service representative will confirm your number retention when you call for service. SWBT will not charge its customary new connection fee or any other carrier change charges pursuant to TPUC Substantive Rule 26.130(k) and FCC Rule 64.1120.
- 2) **If You Select Another Provider Before The Selection Date:** Please be aware that if you transfer your local business service to a provider other than SWBT, you may incur a new connection charge, and you must make arrangements with that local business service provider to transfer your service prior to the Selection Date.

- a. If you will be keeping your phone number – If you make arrangements for new local business service from a service provider other than SWBT and you will be keeping your existing telephone number, then your new provider will contact TXU COMMUNICATIONS to arrange for the transfer of your service – you will not need to do anything further.
- b. If you will not be keeping your phone number – If you make arrangements for new service from a service provider other than SWBT, but you will not be keeping your existing telephone number, then please contact TXU COMMUNICATIONS at 1-866-755-2642 to schedule the disconnection of your existing telephone service and the discontinuation of further billing.

3) If You Do Not Select A Local Business Service Provider By The Selection

Date: If you have not transferred your local business service by the Selection Date, your local business telephone service will be automatically transferred to SWBT during the Transfer Period, in accordance with the applicable rules of the TPUC and FCC. Services will be provided to you as follows:

- a. Local Services – Local business services are the only services affected by this change. TXU COMMUNICATIONS will continue to provide some business local and all long distance services. SWBT will provide approximately the same local business service as you were receiving with TXU COMMUNICATIONS, at SWBT's approved rate structure. SWBT will not charge its customary new connection fee or any other carrier change charges pursuant to TPUC Substantive Rule 26.130k and FCC Rule 64.1120.
- b. Local Toll and Long Distance Service – The same carrier currently providing your local toll and long distance will continue to provide these services after the transfer.
- c. Service Adjustments – You may make adjustments and changes to your service from SWBT at any time by calling 1-800-481-0367 (M-F, 8:00 a.m. – 6:00 p.m.).

You will be responsible for any account balance due TXU COMMUNICATIONS through the date of your transfer. After the payment of your final bill to TXU COMMUNICATIONS, any deposits or credits that may be due to you from TXU COMMUNICATIONS will be sent to you within 30 days following the discontinuation of your local business telephone service. TXU COMMUNICATIONS will no longer make any new changes to your TXU COMMUNICATIONS local business phone service.

The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments

within fifteen (15) days after receipt of this notification. Address them to the Federal Communications Commission, Washington, DC 20554, referencing the Section 63.71 Application of TXU Communications, Inc. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service.

TXU COMMUNICATIONS appreciates the opportunity to have been your local business telephone service provider. If you have any questions regarding your TXU COMMUNICATIONS telephone service or the transfer of your service, please direct any questions you may have to TXU COMMUNICATIONS, 300 Decker Drive, Irving, Texas 75062 at 1-866-755-2642. TXU COMMUNICATIONS will work with you to attempt to resolve any outstanding issues involving its service.

SWBT is eagerly looking forward to serving your communications needs! If you have any questions about your future telephone services or features from SWBT, please contact SWBT at 1-800-481-0367.

Sincerely,

TXU Communications

SWBT

SWBT's TERMS AND CONDITIONS OF SERVICE

As a service to our customers, and in compliance with requirements of the Public Utility Commission of Texas, SWBT wants to provide you with the following information concerning the terms and conditions of service.

Depending on your location, your business local telephone service will be billed at a monthly rate between \$19.15 to \$28.25 for Southwestern Bell's touch-tone one-party flat rate service.*

If you decide to order any additional services, a full description of each product or service you order will be identified on your bill. For additional information, you may reference the EasyOptions section of your Southwestern Bell Telephone directory or visit our Web site at www.swbell.com.

Charges for late payment and returned checks – For business customers, a late payment charge of 5% is applicable if payment is not made by the next bill date as referenced in the Payment Information section of the telephone bill. There is a \$25.00 charge for returned checks. If late payment or returned check charges are applicable, they can be found in the Other Charges section and Monthly Statement section of the telephone bill.

Deposits and advance payments – If a deposit or advance payment is later required to continue local telephone service with Southwestern Bell, the advance payment will appear in the Monthly Statement section of your telephone bill and the deposit will appear in the Payment Information section of your telephone bill. Information on interest accrual and refund of deposit can be found in the "Your Rights as a Customer" section of the Southwestern Bell Telephone directory.

Telephone number assignment changes - Your correct telephone number will be reflected on your telephone bill.

You may terminate your service at any time, subject to a minimum one-month's billing as set forth in our tariffs.

Applicable minimum contract service terms and early termination fees – If you have signed a contract for a minimum term, you should have received a contract with the terms, conditions and applicable termination fees. If you have not received this contract, please call us at 800-499-7928.

* Rates for Southwestern Bell's touch-tone, 1-party flat-rate line and for Southwestern Bell's touch-tone service vary by location.